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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 CONNIE L. BIGELOW,

13 Defendant.

Case No. CR19-242-RSL

ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL AND  
PRETRIAL MOTIONS  
DATES

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15 This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial  
16 and Pretrial Motions Dates." Dkt. # 37. Having considered the facts set forth in the motion, and  
17 defendant's knowing and voluntary waiver, Dkt. # 38, the Court finds as follows:

18 1. The Court adopts the facts set forth in the unopposed motion: specifically, that  
19 there are evaluations being prepared related to mitigation for purposes of settlement discussions,  
20 the defense has not received those final reports, and additional time will be required for follow-  
21 up meetings between defense counsel and defendant, as well as for discussions with the  
22 government. The Court accordingly finds that a failure to grant a continuance would deny  
23 counsel, and any potential future counsel, the reasonable time necessary for effective  
24 preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C.  
25 § 3161(h)(7)(B)(iv).

26 2. The COVID-19 pandemic continues to impact the Court's operations. See W.D.  
27 Wash. General Order Nos. 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 18-20, 04-21  
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ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL - 1

1 (incorporated by reference). In particular, the COVID-19 pandemic has made it difficult for the  
2 Court to obtain an adequate spectrum of jurors to represent a fair cross section of the  
3 community, and public health guidance has impacted the ability of jurors, witnesses, counsel,  
4 and Court staff to be present in the courtroom. Due to these challenges, the Court finds that  
5 proceeding with an earlier trial would likely be impossible or would result in a miscarriage of  
6 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

8 3. The Court finds that the additional time requested between June 21, 2021 and the  
9 proposed trial date of November 15, 2021, is a reasonable period of delay. The Court finds that  
10 this additional time is necessary to provide defense counsel reasonable time to prepare for trial,  
11 considering all the facts set forth above.

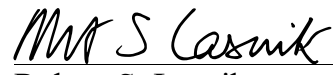
12 4. The Court further finds that this continuance would serve the ends of justice, and  
13 that these factors outweigh the best interests of the public and defendant in a speedier trial,  
14 within the meaning of 18 U.S.C. § 3161(h)(7)(A). See W.D. Wash. General Order Nos. 15-20,  
15 18-20, 04-21.

16 5. Defendant has executed a waiver indicating that she has been advised of her right  
17 to a speedy trial and that, after consulting with counsel, she has knowingly and voluntarily  
18 waived that right and consented to the continuation of her trial to a date up to and including  
19 November 29, 2021, Dkt. # 38, which will permit her trial to start on November 15, 2021.

20 IT IS HEREBY ORDERED that the trial date shall be continued from June 21, 2021 to  
21 November 15, 2021 and pretrial motions are to be filed no later than September 2, 2021;

22 IT IS FURTHER ORDERED that the period of time from the current trial date of June  
23 21, 2021, up to and including the new trial date, shall be excludable time pursuant to the Speedy  
24 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of  
25 this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),  
26 (h)(7)(A), and (h)(7)(B).  
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1 DATED this 6th day of May, 2021.

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4 Robert S. Lasnik  
5 United States District Judge  
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